

May 28, 2014

Present

Commissioners Michael Vlahovich, Joanne Clark, Ann Borders, Joyce Harrod, and Roy Myers, Town Manager Jean Weisman, Debbie Renshaw, Zoning and Codes Enforcement Officer, Administrative Clerk Suzanna Warnick, and eight members of the public.

Call to Order

President Vlahovich called to order the regular legislative session of the Commissioners of St. Michaels at 5:00 p.m., in the meeting room of the Edgar M. Bosley, Jr. Municipal Building, 300 Mill Street, St. Michaels, Maryland, and the Pledge of Allegiance was recited.

Announcements from the COSM, Staff and Public

President Vlahovich noted that several Commissioners, Town staff and Police Chief Smith would be attending the annual Maryland Municipal League (MML) Convention held in Ocean City on June 8-11th. President Vlahovich also announced that the Town was pleased to welcome Kimberly Weller as the new Communications Manager, and noted that she would be officially on board as of June 11th. President Vlahovich invited everyone to attend the Commissioners' June 11th meeting at 5:00 for the swearing in of the newly elected Commissioners, Roy Myers and Jaime Windon. Commissioner Clark then announced that she had a presentation to make, and on behalf of all of the Commissioners and the Town of St. Michaels, she presented Commissioner Vlahovich with a framed copy of the Town Seal. Commissioner Harrod said she had attended the ribbon cutting on Saturday, May 31st for the Art League's new gallery on Railroad Avenue. Mrs. Weisman said work had begun on reconstruction of E. Chew Avenue, and noted that she was hopeful that the lines and crosswalks would be repainted on Talbot Street soon by the State Highway Administration. There were no announcements from the public.

Consent Agenda

- **Approval of minutes for April 2014:**

President Vlahovich announced that a vote to approve the items on the consent agenda would include approval of the minutes from meetings held during the month of April 2014.

President Vlahovich asked if the Commissioners want to remove any item from the consent agenda for discussion on the regular agenda. There were no requests. President Vlahovich then called for any public comment on the consent agenda items. As there were no additional comments or changes, President Vlahovich called for a motion to approve the consent agenda as presented. Commissioner Myers made the motion, which was seconded by Commissioner Borders and which passed on a roll call vote of 5-0 in favor.

Ordinances eligible for Vote

- Ordinance No. 449 - Chapter 98 – General Provisions

President Vlahovich announced that the Ordinance was introduced by Commissioners Clark and Borders on May 14, 2014, and that the Ordinance is now eligible for Vote. President Vlahovich then called on Mrs. Warnick, who read the title of the Ordinance into the record as follows:

ORDINANCE NO. 449: AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF ST. MICHAELS; CHAPTER 98 (BOARDS, COMMISSIONS, COMMITTEES AND PANELS) SECTION 1 (GENERAL CONDITIONS) OF THE CODE OF THE TOWN OF ST. MICHAELS TO DELETE PARAGRAPH G AND RE-ENACT WITH AMENDED TEXT RELATING TO REMOVAL OF BOARD MEMBERS FOR CAUSE AND GENERALLY RELATING TO BOARDS, COMMISSIONS, COMMITTEES AND PANELS.

Town Manager Jean Weisman said there have been no additional changes to the ordinance since the last discussion. President Vlahovich then called for any comments from the Commissioners. As the Commissioners had no comments or changes, and there were no public comments, President Vlahovich called for a motion to accept the Ordinance as presented. Commissioner Borders made the motion, which was seconded by Commission Myers and which passed on a roll call vote of 5-0 in favor.

- ORDINANCE NO. 450 – International Property Maintenance and Energy Code

President announced that the Ordinance No. 450 was introduced by Commissioners Myers and Clark on May 14, 2014, and that the Ordinance is now eligible for Vote. He then called upon Mrs. Warnick, who read the title of the ordinance into the record as follows:

ORDINANCE NO. 450: AN ORDINANCE BY THE COMMISSIONERS OF ST. MICHAELS TO AMEND CHAPTER 243 (PROPERTY MAINTENANCE) OF THE TOWN CODE TO INCLUDE ARTICLE III (PROPERTY/BUILDING MAINTENANCE) WHICH CONTAINS STANDARDS AND GUIDELINES AS SET OUT IN THE INTERNATIONAL PROPERTY MAINTENANCE CODE, LATEST EDITION; EXCLUDING SECTION III (MEANS OF APPEAL) AND TO AMEND CHAPTER 108 (BUILDING CONSTRUCTION) TO INCLUDE REFERENCES TO THE INTERNATIONAL ENERGY CONSERVATION CODE, LATEST EDITION AND PROVIDING THAT THE TITLE OF THIS ORDINANCE SHALL BE DEEMED A FAIR SUMMARY OF THE ORDINANCE; AND ALL MATTERS GENERALLY RELATING TO ENERGY CONSERVATION AND PROPERTY/BUILDING MAINTENANCE IN THE TOWN OF ST. MICHAELS.

President Vlahovich called upon Zoning Officer Debbie Renshaw, who answered a few questions from the Commissioners and the public. As there no additional comments or substantive changes to the Ordinance, President Vlahovich called for a motion to accept the Ordinance as presented. Commissioner Myers made the motion, which was seconded by Commissioner Clark, and which passed on a roll call vote of 5-0 in favor.

- ORDINANCE NO. 451 – Amend Tourism Board

President Vlahovich announced that Ordinance No. 451 was introduced by Commissioners Clark, Myers and Vlahovich on May 14, 2014, and that the Ordinance is now eligible for Vote. President Vlahovich then called upon Mrs. Warnick, who read the title of the ordinance into the record as follows:

THE PURPOSE OF THIS ORDINANCE IS TO AMEND CHAPTER 98 (BOARDS, COMMISSIONS, COMMITTEES AND PANELS), § 98-5 OF THE CODE OF THE TOWN OF ST. MICHAELS FOR THE PURPOSE OF DISSOLVING THE ST. MICHAELS TOURISM BOARD; AND ALLOWING FOR THE CREATION OF A TOURISM ADVISORY BOARD AND PROVIDING THAT THIS TITLE OF THIS ORDINANCE SHALL BE A FAIR SUMMARY HEREOF

As there were no additional comments from the Commissioners or the public, President Vlahovich called for a motion to accept the Ordinance as presented. Commissioner Myers made the motion, which was seconded by Commissioner Harrod, and which passed on a roll call vote of 5-0 in favor.

Resolution eligible for Vote

- Resolution 2014-03 – Historic District Commission (HDC) Guidelines

President Vlahovich announced that Resolution 2014-03 was discussed by the Commissioners with Pete Leshner, Chairman of the Historic District Committee, on May 14, 2014, and noted that the HDC has asked that the guidelines be formally adopted by Resolution. President Vlahovich then called upon Mrs. Warnick, who read the title of the Resolution into the record as follows:

RESOLUTION 2014-03, A RESOLUTION OF THE COMMISSIONERS OF ST. MICHAELS
TO ADOPT THE ST. MICHAELS HISTORIC DISTRICT COMMISSION'S DESIGN
GUIDELINES FOR REHABILITATION, MAINTENANCE AND NEW CONSTRUCTION
DATED 2014

President Vlahovich asked if the Commissioners had any comments. Commissioner Clark said she thought the restrictions on replacement windows and doors were too restrictive, but that she would still support the resolution. Commissioner Borders said she was comfortable with the restrictions. As there were no further comments, President Vlahovich called for a motion to adopt Resolution 2014-03 as presented. Commissioner Borders made the motion, which was seconded by Commissioner Myers, and which passed on a roll call vote of 5-0 in favor.

Items for Discussion

- Sign request from the waterfront restaurants and marina on Mulberry Street

President called upon Jean Weisman, who provided background on the sign issue. Mrs. Weisman said the Commissioners had before them a letter from business owner Jon Mason outlining recommendations, suggestions and ideas for directional/informational signage, as requested by the Commissioners at their last discussion. After some discussion, the Commissioners agreed to raise the height of the Mulberry Street sign-pole to meet SHA regulations, move it, and hang a "Waterfront Restaurants" sign underneath that would look exactly like the "Shops and Restaurants" sign. The Commissioners also agreed to maintain the "Shops and Restaurants" sign, rather than remove it. Mr. Mason agreed to pay for the project. The Commissioners directed staff to carry out the above, and then President Vlahovich made a motion to grant the sign request. Commissioner Borders seconded it, and the motion passed on a roll call vote of 5-0 in favor.

- Classic Car Museum request for buffer easement

President Vlahovich asked staff for an explanation of the purpose of the buffer. Mrs. Renshaw explained that the buffer's purpose was for landscaping and was not part of storm water management. Mrs. Renshaw added that buffering is a requirement whenever a parking area exceeds a certain number of spaces and the Planning Commission gets involved as to the type of buffering. Tad DuPont of Locust Street and the developer for the project, answered some additional questions from the Commissioners. Mr. DuPont said the berm would remain and the telephone poles will be on the outside of the fence. After some additional discussion, the Commissioners directed staff to have the Town attorney draft a letter of agreement for their review. Mrs. Weisman said the Commissioners could add any conditions they deemed appropriate during the review.

- **Public Safety on Sidewalks in Commercial District**

Commissioner Myers opened the discussion of safety on sidewalks in the commercial district as a continuation of the public workshop held on April 29, 2014. Commissioner Myers reviewed his notes from the meeting with the Commissioners. After a discussion of some length, the Commissioners agreed to separate the issue of safety clearance from the merchandise issue, and determined that a 4 and ½ ft. clearance was the appropriate clearance. Commissioner Vlahovich said that it is not permissible to use Town property that is not approved, and that the Commissioners should be as equitable as possible. The Commissioners then directed staff to resurrect the original draft template without the merchandise issue, to add a restriction of three feet out from the building for benches, and allowing flower pots. The Commissioners also wanted the penalties for violations strengthened. Mrs. Weisman said she would consult the Town's attorney on whether the Town can grandfather the Acme and The Village Shop and whether the Town can restrict tables.

Commissioners' Calendar

The Commissioners set agenda items for their meetings in June and July 2014.

Comments from the Public (Residents and Taxpayers)

The Commissioners took public comments which were primarily on the issue of sidewalk safety.

Comments from the Commissioners

Commissioner Clark thanked Commissioner Vlahovich for his service and Commissioner Vlahovich said he had enjoyed the experience.

Announcement of Future Meetings/Events

President Vlahovich announced future meetings and events as follows:

- June 8-11, 2014 – Maryland Municipal League Convention in Ocean City, MD
- June 11, 2014 – 5:00 – Town Office – COSM Regular Work Session
- June 25, 2014 – 5:00 – Town Office – COSM Regular Legislative Session

Adjournment

The meeting was adjourned at 7:20 p.m.

Respectfully submitted,

Suzanna Warnick
Administrative Clerk

Public Handouts:

Agenda

Ordinance No. 449 – Chpt 98 – General Provisions

Ordinance No. 450 – Property Maintenance

Ordinance No. 451 – Chpt 98 – Tourism Board

Resolution 2014-03 – HDC Guidelines

Correspondence from Town Dock re sign request

Classic Motor Museum of St. Michaels

Outline of meetings pertaining to sidewalk obstructions, safety and aesthetics